Serial No. **48359**

# APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office......**SEP 0 6 1984**.......................

Returned to applicant for correction.......................

Corrected application filed.......................Map filed......**SEP 1 0 1984**.......................

The applicant..........**Jean Ann Koehler**.......................

..........**RR2, Box 4930**.......................of..........**Rapid City**.......................
Street and No. or P.O. Box No.          City or Town

..........**South Dakota 57701**....................... hereby make.**S.** application for permission to change the
State and Zip Code No.

..........**Point of Diversion and Place of Use of a portion**.......................
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under......**Application No. 31431**.......................
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.).......................

.......................

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1. The source of water is.......................**Underground**.......................
   Name of stream, lake, underground spring or other source.

2. The amount of water to be changed.......**5.4 cfs**.......................
   Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for..........**Irrigation and Domestic**.......................
   Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for..........**Irrigation and Domestic**.......................
   Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point...**in the SE¼ SW¼ Section 26, T. 4 N.**.......................
   Describe as being within a 40-acre subdivision of public survey and by course and
   **R. 53 E., M.D.B. &M. or at a point from which the NE corner of Section**.......................
   distance to a section corner. If on unsurveyed land, it should be stated.
   **25, T. 4 N., R. 53 E., bears N., 56°23'30" E. 9503 feet.**

6. The existing permitted point of diversion is located within...**the NW¼ NE¼ Section 24, T. 4 N.,**.......................
   If point of diversion is not changed, do not answer.
   **R. 54 E., M.D.B. &M., or at a point from which the N¼ corner of**.......................
   **said Section 24 bears N. 45°00' W. 141.42 feet.**

7. Proposed place of use...**S½ S½ Section 26 and N½ N½ Section 35, T. 4 N.**.......................
   Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
   **R. 53 E., M.D.B. &M. (320 acres)**.......................

8. Existing place of use..........**Section 24, T. 4 N., R. 54 E., M.D.B. &M.**.......................
   Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
   **(640 acres)**.......................
   manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from......**January 1**.......................to..........**December 31**..........of each year.
   Month and Day          Month and Day

10. Use was permitted from...**January 1**.......................to..........**December 31**..........of each year.
    Month and Day          Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
    specifications of your diversion or storage works.)..........**well, pump, sprinkler system.**.......................
    State manner in which water is to be diverted, i.e. diversion structure, ditches,
    pipes and flumes, or drilled well, etc.

12. Estimated cost of works..........**$50,000.**.......................

13. Estimated time required to construct works..........**3 years**.......................

14. Estimated time required to complete the application of water to beneficial use......5..years...........................

15. Remarks:  For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

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Jean Ann Koehler
Ernest E. Muller, Sr., Agent    By...s/..Ernest..E...Muller.................................................

750 W. Pueblo St.
Compared.....bm/.jm..........................bl/bc.    Reno, Nv., 89509

Protested....2/1/85 by Roger Hockersmith.......................................................................

................DENIAL............... OF STATE ENGINEER

deny

     This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ the same, subject to the following limitations and conditions:

This application is herewith denied on the grounds that to grant the application for irrigation purposes on lands that the applicant does not own or control and cannot demonstrate the ability to place the water to beneficial use, would not be in the public interest and welfare.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed......................................................................cubic feet per second......................................................

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Work must be prosecuted with reasonable diligence and be completed on or before...........................................................

Proof of completion of work shall be filed before.........................................................................................................

Application of water to beneficial use shall be made on or before......................................................................................

Proof of the application of water to beneficial use shall be filed on or before...................................................................

Map in support of proof of beneficial use shall be filed on or before...............................................................................

Completion of work filed...............................................

Proof of beneficial use filed...........................................

Cultural map filed............................................................
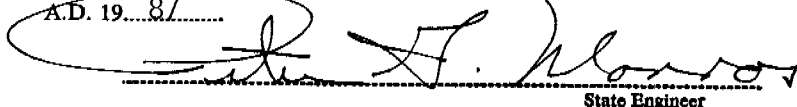
Certificate No.......................Issued........................

2407 (Rev. 6-81)

IN TESTIMONY WHEREOF, I......PETER G. MORROS...................,

State Engineer of Nevada, have hereunto set my hand and the seal of

my office, this.........27th.........day of..........February........................,

A.D. 19....87........

State Engineer